GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Sri K. Kotaiah , VRO, Ponnalur-2 Cluster, O/o Tahsildar, Ponnalur Mandal, Prakasam District - Violation of APCS (Conduct) Rules, 1964 - Departmental proceedings under rule 20 of A.P.C.S. (CC & A) Rules, 1991 - Articles of charges - Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.Rt.No.1079 Dated:24.11.2023.

Read the following

1. From the D.G., ACB, Lr.C.No.32/DES-NPK/2020, Dt:21.04.2023.
2. G.O.Rt.No.1075,Revenue (Vig.III) Department,Dt:24.11.2023

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ORDER:

It is proposed to hold an enquiry against Sri K. Kotaiah , VRO, Ponnalur-2 Cluster, O/o Tahsildar, Ponnalur Mandal, Prakasam District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of charges (Annexure–I). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure - III & IV).

3. Sri K. Kotaiah, VRO is directed to submit, within 10 days of the receipt of this order, a written statement of his defense.

4. Sri K. Kotaiah, VRO is informed that an enquiry will be held only in respect of those articles of charges as are not admitted. He should therefore, specifically admit or deny each article of charge.

5. Sri K. Kotaiah, VRO is further informed that if he does not submit his written statement of defense on or before the date specified in Para–3 above, further action will be processed based on the material available.

6. Attention of Sri K. Kotaiah, VRO, Ponnalur-2 Cluster, O/o Tahsildar, Ponnalur Mandal, Prakasam District is invited to Rule 24 of A.P.C.S (Conduct) Rules 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri K. Kotaiah, VRO is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(BY ORDER IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To :

Sri K. Kotaiah , VRO, Ponnalur-2 Cluster, O/o Tahsildar, Ponnalur Mandal, Prakasam District **through** the Collector & District Magistrate, Prakasam District, Ongole.

Copy to:

The Chief Commissioner of Land Administration, A.P., Mangalagiri.
The Collector & District Magistrate, Prakasam District, Ongole.

(P.T.O)

The Director General, Anti Corruption Bureau, A.P., Vijayawada
Sf/Sc.

//FORWARDED::BY ORDER //

SECTION OFFICER

ANNEXURE -I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINSTSRI KOTAPATI KOTAIAH S/O SUBBARAYUDU, AGE 49 YEARS, VILLAGE REVENUE OFFICER PONNALUR, CLUSTER-II, PONNALUR MANDAL, PRAKASAM DISTRICT.

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That Sri Kotapati Kotaiah, s/o Subbarayudu, age 49 years, Village Revenue Officer, Ponnalur, cluster-II, Ponnalur mandal, Prakasam District (herein after referred as Government Servant) joined Government Service on 29.07.1997 as Village Administrative Officer at Veeraraghavunikota village, Lingasamudram Mandal. Later he promoted as Panchayat Secretary and worked at Veeraraghavunikota village, Lingasamudram Mandal. Subsequently, he worked as Village Revenue Officer at Anneboinapalli (V), Chinapavani (V) of Lingasamudram Mandal. At present he is working as VRO, Ponnalur, Cluster-II, Ponnalur mandal Prakasam District from 05.10.2015to 24.01.2020(till date of surprise check), he committed grave misconduct in as much as,

Charge:

The Government Servant Sri Kotapati Kotaiah (VRO) failed to distribute Five (5) original e-passbooks to the applicants/ Pattadars, which were entrusted to him by the Tahsildar Office, Ponnalur.

Thus, the Government Servant Sri Kotapati Koaiah, being as Village Revenue Officer, Ponnalur, Cluster-II, Ponnalur Mandal, Prakasam District, by his above mentioned acts has failed to maintain absolute integrity, devotion to duty and has shown conduct unbecoming of Government servant and there by contravened Rule 3(1), 3(2) & 3-B (b) of APCS (Conduct) Rules 1964.

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G.SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER //

SECTION OFFICER

ANNEXURE -II

STATEMENT OF IMPUTATION OF MISCONDUCT IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINSTSRI KOTAPATI KOTAIAH S/O SUBBARAYUDU, AGE 49 YEARS, VILLAGE REVENUE OFFICER, PONNALUR, CLUSTER-II, PONNALUR MANDAL, PRAKASAM DISTRICT

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ThatSri Kotapati Kotaiah s/o Subbarayudu, Village Revenue Officer, Ponnalur cluster-II, Ponnalur mandal, Prakasam District, Age 49 years is a native of Divakarapuram Village, P.C.Palli Mandal, Prakasam District. His date of birth is 15.07.1975.On29.07.1997 as he joined in Government Service as Village Administrative Officer, at Veeraraghavunikota village, Lingasamudram Mandal. Later he promoted as Panchayat Secretary and worked at Veeraraghavunikota village, Lingasamudram Mandal. Subsequently he worked as Village Revenue Officer at Anneboinapalli (V), Chinapavani (V) of Lingasamudram Mandal. At present he is working as Village Revenue Officer, Ponnalur, Cluster-II, Ponnalur Mandal, Prakasam District from 05.10.2015 to 24.01.2020 (Till the date of Surprise Check). He is drawing the salary with basic pay of Rs.26,600/-.He is due to retire on attaining the age of superannuation on 31-07-2037. He is hereinafter referred to as Government Servant (G.S).

IMPUTATION WITH REGARD TO CHARGE:

The Government Servant Sri Kotapati Kotaiah (VRO) failed to distribute Five (5) original e-passbooks to the applicants/ Pattadars, which were entrusted to him by the Tahsildar Office, Ponnalur.

Facts and Evidence:

On reliable information that the Tahsildar and Staff of Ponnalur Tahsildar Office are indulging in irregular practices by abusing their official position, a Surprise Check was conducted in the Tahsildar office, Ponnalur Mandal by the Inspector of Police, ACB, Ongole, Prakasam District in the presence of the mediators i.e., 1) Sri Emani Venkata Ramanaiah S/o Kotaiah, age 54 years, Head Master, Z.P.High School, Machavaram Village, N.G.Padu Mandal, Prakasam District and Smt. Konda Prathima W/o M. Ramanji Babu, age 39 years, Physical Director, Z.P. High School, Tippayapalem Village, Markapur Mandal, Prakasam District on 24.01.2020 from 11.30 hours to 23.30hrs.

At that time of surprise check Sri Pothuganti Khadar Vali, Dy. Tahsildar (Office Superintendent), 2) Shaik Hussainaiah, Revenue Inspector, 3) Smt. Jonnalagadda Bhargavi, Revenue Inspector 4) Sri Jakeer Hussain, Junior Assistant, O/o Tahsildar, Ponnalur Mandal, Prakasam District, 5) Smt. Sri Kutala Jaya Lakshmi, Village Revenue Officer, Chekuru Village, 6) Sri Kotapati Kotaiah, Village Revenue Officer, Ponnnalur-2 cluster (Nagireddipalem and Paireddipalem), 7) Sri Maddali Lakshmi Narasimha Raju, Village Revenue Officer, Ravulakollu Village, 8) Sri Muduvarthi Venkata Srinivasa Rao, Village Revenue Officer, Bhoganampadu Village, 9) Sri Madatala Srinivasulu, Village Revenue Officer, Kotapadu Village, 10) Sri Yelchuri Vijaya Kumar, Village Revenue Officer, Ippagunta Village, 11) Sri Petluri Seetharamalinga Vara Prasad, Village Revenue Officer, Singarabotla Village, Ponnalur Mandal, Prakasam District are found present in Tahsildr Office, Ponnalur. On receipt of information Smt. Vullaganti Bala Naga Jyothi, Tahsildar also came to the Office from the camp.

During the Surprise Check, the Tahsildar produced 1) Pattadar Pass Book Issue Register for the year 2019: 2) Spandana Attendance Register, 3) Pattadar Pass Book Issue Register for the year 2020, 4) Certificates and PPBs Dispatch Register and 5) Register of Registered Post -2020. On verification all the registers were not maintained properly and when asked about the poor maintenance of Registers and Records the Tahsildar and Dy.Tahsildar / Office Superintendent did not come forward any valid explanation.

During the Surprise check, all the VROs noted above produced a total number of 113 undelivered e-Pattadar Pass-Books. On verification, 24 e-Pattadar Pass-Books are present with Smt.K. Jaya Lakshmi, VRO, Cherukuru Cluster, 5 e-Pattadar Pass-Books are present with Sri K. Kotaiah, VRO, Ponnalur -2 Cluster, 15 e-Pattadar Pass-Books are present with Sri M.L.Narasimha Raju, VRO, Ravulakollu Cluster, 20 e-Pattadar Pass-Books are present Sri M.V.SrinivasaRao, VRO, Bhoganampadu Cluster, 14 e-Pattadar Pass-Books are present with Sri M.Srinivasulu, VRO, Kotapadu Cluster, 3 e-Pattadar Pass-Books are present with Sri Y.Vijaya Kumar, VRO, Ippagunta Cluster and 32e-Pattadar Pass-Books are present with Sri P.S.R.L.V. Pradad, VRO, Singabotlapalem Cluster. All the above noted VROs failed to explain the valid reasons for not dispatching the e-PPBs to concerned farmers.

The Inspector, ACB took Photostat copies of all the registers discussed above, the mutation files which were rejected without valid reason, and the PPBs which were available with the VROs concerned without delivery to the applicants and seized the same after getting the attestation of the Photostat copies by the Tahsildar and the mediators for further investigation.

During the course of further enquiry, the Inspector, ACB, Prakasam District, Ongole, secured the presence of the following Pattadar Pass-Book holders namely, 1) Madala Srinu, R/o Venkupalem Village, 2) Macha Srinivasulu, R/o Chowtapalem Village, Ponnalur Mandal 3) Elika Mallikharjuna Rao, R/o Bonthavaripalem Village, V.V. Palem Mandal, Prakasam District, 4) Devarala Siva Krishna, R/o Ippagunda Village, 5) Guntaka Chinna Rao, R/o Palukuru village, Kandukur Mandal, 6) Mynam Atchaiah, R/o Ramachandrapuram village, Chimakurthy Mandal, 7) Pilli Tirupathi Reddy, R/o Kothapalem Village, Ponnalur Mandal, 8) Yarra Krishnaiah, R/o Rajolupadu Village, Manginapadu Revenue, Ponnalur Mandal, 9) Dabbugottu Prasad R/o Bhoganampadu Village, 10) Baddika Rama Devi, R/o Mutharasupalem Village, 11) KaretiSambamma, R/o Bhoganampadu Village, 12) Challa Srinivasulu, R/o Singarabotlapalem Village, Ponnalur Mandal, Prakasam District, examined them and obtained their signed statements.

All the above Pattadar Pass- Book holders stated that the concerned VROs did not hand over the Pass- Books even though they approached them several times and none of the staff of the Tahsildar Office gave a proper response about their Pass Books. Later, during the end of January -2020, their Pattadar Passbooks were handed over by the concerned VROs.

During the course of surprise check, the Inspector, ACB, Ongole examined Smt. Baddika Rama Devi, Mutharasupalem village and in further enquiry he examined Sri Pallapolu Venkata Krishna Reddy (Superior Officer) and obtained their signed statements. The above Pattadar pass book holder stated that the Govt. Servant, the Tahsildar and other staff of Tahsildar office Ponnalur Mandal gave improper response when she approached them for her e-PPB and causing much delay in handing over of the PPB. Sri P.Venkata Krishna Reddy explained the procedure in issuance of e-PPBs and other duties and responsibilities of the Govt. Servant.

Further the Inspector of Police, ACB, Ongole obtained the Job Chart and service particulars of the Govt. Servant vide RC.C/16/2020, Dated 12.02.2020 which reveals the duties and responsibilities of the Govt. Servant and the copy of G.O M.S No.255, Revenue (EA & AR) Dept. dated 18-06-2016 which contains the guidelines to be followed at the time of issuing passbooks to the landholders.

According to the relevant Records, Registers, copies of e-PPBs and other relevant documents which were secured at the time of Surprise check and further enquiry, the Government Servant failed to distribute five (5) original e-passbooks to the applicants/ Pattadars.

Thus, the Government Servant Sri Kotapati Kotaiah, s/o Subbarayudu, age 49 years, Village Revenue Officer, Ponnalur, cluster-II, Ponnalur mandal, Prakasam District by his above mentioned acts have failed to maintain absolute integrity,

devotion to duty and has shown conduct unbecoming of government servant and there by contravened Rule 3(1), 3 (2) & 3 B(b) of APCS (Conduct) Rules, 1964.

Thus, the Government Servant has therefore rendered himself liable for regular departmental action for major penalty under Rule 20 of APCS (CC&A) Rules, 1991.

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G.SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER //

Nagaprasad
SECTION OFFICER

ANNEXURE -III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINSTSRI KOTAPATI KOTAIAH S/O SUBBARAYUDU, AGE 49 YEARS, VILLAGE REVENUE OFFICER, PONNALUR, CLUSTER-II, PONNALUR MANDAL, PRAKASAM DISTRICT ARE PROPOSED TO BE SUBSTANTIATED.

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Sl. No	Name of the document	Will prove
1.	Surprise Check Proceedings, Dt. 24.01.2020.	It reveals the happenings of the Surprise Check conducted on Tahsildar Office, Ponnalur Mandal, Prakasam District on 24.01.2020.
2.	Attested copies of un-dispatched e-Pattadar Pass Books (PPBs) which are available with the VROs concerned.	They are copies of the undelivered PPBs (5) kept pending with the Government Servant (VRO) without distribution to the applicants.
3.	RC.C/16/2020, Dated 12.02.2020 of the Tahsildar, Ponnalur Mandal, Prakasam District	It contains the Service particulars and Job Charts of Tahsildar and Staff of Tahsidar Office, Ponnalur Mandal (including the Govt. Servant).
4.	copy of G.O M.S No.255, Revenue (EA & AR) Dept. dated 18-06-2016	It reveals the guidelines to be followed at the time of issuing passbooks to the landholders.
5.	Signed statement of Sri Baddika Rama Devi, W/o Venkata Rao, age 30-yrs, R/o Mutharasupalem (V), Ponnalur (Md), Prakasam District.	It proves about the improper response of the Tahsildar and her staff and delay in handing over of the PPB by the Govt. Servant.
6.	Signed statement of Sri Pallapolu Venkata Krishna Reddy, S/o Rami Reddy, Divisional Administrative Officer, O/o RDO, Kandukur Revenue Division, Kandukur, R/o Aluru village, Kothapatnam Mandal, R/o Kandukur town.	It reveals about the procedure of mutation, issuing PPBs and the duties and responsibilities of the Tahsildar and Staff of Tahsildar Office, Ponnalur Mandal.

Any other document to be filed at the time of enquiry.

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G.SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER //

SECTION OFFICER

ANNEXURE -IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINSTSRI KOTAPATI KOTAIAH S/O SUBBARAYUDU, AGE 49 YEARS, VILLAGE REVENUE OFFICER, PONNALUR, CLUSTER-II, PONNALUR MANDAL, PRAKASAM DISTRICT ARE PROPOSED TO BE SUBSTANTIATED.

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The following oral evidence is available on record.

Sl. No.	Name of the witness	Evidence
1	Sri Baddika Rama Devi, W/o Venkata Rao, R/o Mutharasupalem Village, Ponnalur Mandal, Prakasam District, Cell. No. 9866974909.	She speaks about her possessing of land to an extent of Ac.0.38 cents in Sy.No.202-2C-1 and Ac.0.12 cents in Sy.No.202-2C-2 of Ponnalur village, his application for the issue of Pattadar Pass Book, about the improper response of Tahsildar and her staff and delay in handing over of the PPB by the Government Servant.
2	Sri Emani Venkata Ramanaiah S/o Kotaiah, age 54 years, Head Master, Z.P.High School, Sri Machavaram Village, N.G.Padu Mandal, Prakasam District. R/o Flat No.502, S.R. Residency, Mangamuru Donka, Ongole. Cell Nos.9849178789; 9100929608.	To speak about the Surprise Check Proceedings and the Seizure of Records
3	Smt. Konda Prathima W/o M. Ramanji Babu, age 39 years, Physical Director, Z.P. High School, Tippayapalem Village, Markapur Mandal, Prakasam District. R/o Brindavan Nagar, 3rd lane, Anjaiah Road, Ongole. Cell No.8332064805.	To speak about the Surprise Check Proceedings and the Seizure of Records
4	Sri Pallapolu Venkata Krishna Reddy, S/o Rami Reddy, Divisional Administrative Officer, O/o RDO, Kandukur Revenue Division, Kandukur, R/o Aluru village, Kothapatnam Mandal, R/o Kandukur town.	To speak about the procedure of mutation, issuing PPBs and the duties and responsibilities of Tahsildar and staff of Tahsildar office, Ponnalur mandal.
5	Sri N. Raghava Rao, Inspector of Police, ACB, Prakasam Dist., Ongole	To speak about his conducting the surprise check, taking up further investigation, serving notices on Tahsidar and staff of Tahsildar Office, Ponnalur Mandal, receiving their explanation etc. facts.

If any witness is necessary, he/she will be produced at the time of enquiry.

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G.SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER //

SECTION OFFICER